

REMARKS

In the Office Action mailed December 26, 2008 the Office noted that claims 15-31 were pending and rejected claims 15-19 and 21-31 and objected to claim 20. Claims 15, 18-21 and 25-31 have been amended, no claims have been canceled, claim 32 is new, and, thus, in view of the foregoing claims 15-32 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

ALLOWABLE SUBJECT MATTER

The Office has indicated that claim 20 would be in a condition for allowance if re-written in independent form. The Applicants thank the Office for the consideration given the claims and submit that the claims are allowable for the reasons discussed below.

OBJECTION TO THE SPECIFICATION

The disclosure stands objected to for informalities. In particular, the Office asserts that the Abstract exceeds 150 words and the Specification contains no section headings.

On February 10, 2006 a Preliminary Amendment was filed with a replacement Abstract of 138 words. The Applicant again submits the same Abstract for the convenience of the Office and not to overcome the objection.

The Applicant has amended the Specification to insert the section headings.

Withdrawal of the objections is respectfully requested.

CLAIM OBJECTION

Claims 15-31 stand object to for informalities. In particular, the Office asserts that incorrect transitional phrases are used and that the claims mix software methods and software product. The Applicants have amended has for example, amended claim 15 to remove the term "in:" and replaced it with the term "comprising:". Thus, Applicants believe that the claim affirmatively recite their features.

The Applicant has further added claim 32 as a method as in claim 15 recorded on a computer readable recording medium with a computer program recorded thereon. Claims 26-28 have been amended to be made dependent from claim 32, their preambles and method steps, likewise amended. Support for the amendment may be found, for example, in ¶ 0114 of the printed publication version of the Specification. The Applicants submit that no new matter has been added by the addition of or amendment to the claims.

Withdrawal of the objection is respectfully requested.

REJECTIONS under 35 U.S.C. § 101

Claims 26-28 and 29-31 stands rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The

Office asserts that the claims are directed to a computer product or data structure. The Applicant has added claim 32 as discussed above, claims 26-28 have likewise been amended.

Claims 29-31 have been amended consistent with the requirements of MPEP § 2106.01(I), first paragraph wherein it states "a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory."

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 102

Claims 29-31 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Magret, U.S. Patent No. 6,988,146. The Applicants respectfully disagree and traverse the rejection with an argument.

Magret discusses a foreign agent attaches a network access identifier (NAI) extension to the agent advertisement upon a mobile node arriving at a foreign wireless domain.

On pages 5 and 6 of the Office Action, it is asserted that Magret, col. 12, lines 30-40; and col. 14, lines 30-50 and 64 disclose "the local multicast information broadcast being generated by an information broadcasting source located at a first local multicast information broadcasting address in this

originating site," as in claim 29.

However, in Magret the source of the data transmitted from the home site to the foreign site is a correspondent node and not an originating site to which the roaming terminal belongs. There is no disclosure of data generated at a source in the home site being transferred from the home site to a foreign site

On page 6 of the Office Action, it is asserted that Magret, col. 12, lines 30-40 disclose "the local multicast information broadcast being generated by an information broadcasting source located at a first local multicast information broadcasting address in this originating site," as in claim 29.

However, in Magret, the request message as interpreted by the Office is a request message sent from the roaming terminal to the foreign site, and not to the originating site in the Magret.

On page 7 of the Office Action, it is asserted that Magret, col. 12, lines 30-40 disclose "the local multicast information broadcast being generated by an information broadcasting source located at a first local multicast information broadcasting address in this originating site," as in claim 30.

However, in Magret the source of the data transmitted from the home site to the foreign site is a correspondent node

and not an originating site to which the roaming terminal belongs. There is no disclosure of data generated at a source in the home site being transferred from the home site to a foreign site

Further on page 7 of the Office Action, it is asserted that Magret, col. 15, lines 1-7 disclose "said message offering access to a global multicast information broadcast is transmitted from the originating site to said roaming terminal," as in claim 30.

However, in Magret there is no disclosure of an access message offering access to a local multicast broadcast generated at the originating site being sent from the originating site to the roaming terminal.

On page 8 of the Office Action, it is asserted that Magret, col. 15, lines 1-7 disclose "said message accepting the offer of access to a global multicast information broadcast is transmitted from the roaming terminal to said originating site," as in claim 31.

However, in Magret, there is no disclosure of a message accepting access to a local multicast broadcast generated at the originating site being sent from the roaming terminal to the originating site.

For at least the reasons discussed above, claims 29-31 are not anticipated by Magret.

Withdrawal of the rejection is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 15-18 and 21-38 stand rejected under 35 U.S.C. § 103(a) as being obvious over Paila, U.S. Patent No. 7,171,198 in view of Magret. The Applicants respectfully disagree and traverse the rejection with an argument.

Paila discusses foreign domain sends service advertisement messages each of which comprises an identifier of the message, network address information and a detailed service offering and the mobile node stores the detailed service offerings and selects one of them.

On page 10 of the Office Action, it is asserted that Pailia, col. 1, lines 15-20; and col. 2, lines 10-11 and lines 14-16 discloses "transmitting, from the roaming terminal to the originating site, an extended multicast information broadcast request message, said request message containing at least said first local multicast information broadcasting address and an identification code of said roaming terminal; and, following the identification of said roaming terminal by said originating site," as in claim 15.

Instead, in Paila, the mobile terminal sends a request to the foreign network to which it wishes to connect. There is no request sent from the mobile terminal to the home network to which it belongs to. In the context of the present invention a roaming mobile terminal sending a request to a foreign network

cannot be deemed as a roaming mobile terminal sending a request to its home network.

Further, in Magret the roaming terminal sends a request message to a foreign agent. (See Fig. 3, 380) It is clearly stated in Magret col. 11, lines 15-17 that "a foreign network is a network to which the mobile is attached to when not attached to the home network." Thus, a foreign network cannot be equated to an originating site to which a roaming terminal belongs to in the context of the present invention. Thus, Paila and Magret separately or in combination fail to disclose such a feature.

On page 13 of the Office Action, it is asserted that Magret Fig. 7, element 750 discloses "transferring the information to be broadcast from the first to the second broadcasting address," as in claim 15.

However, there is no disclosure of the transfer of local multicast information broadcast generated by an information broadcasting source located at the originating site to a second broadcasting address. If, as asserted by the Office, the home agent is considered to be the second global multicast site and the foreign agent is considered to be the originating site there is no disclosure of broadcast data generated at the foreign agent and requested by the mobile terminal being transferred from the foreign agent to the home agent.

The Office asserts in point 21 that information is transferred from the first broadcast address to the second

broadcast address by stating that the home agent sends information to the mobile node via the foreign agent. However, it should be noted that in point 20 the examiner identifies the home agent as the second broadcasting address.

Thus, transferring data from the home agent to the mobile node via the foreign network would according to this interpretation in fact be transferring data from the second broadcasting address to the first broadcasting address and NOT transferring the information to be broadcast from the first broadcasting address to the second broadcasting address.

In any case, the home agent simply transfers intercepted messages to the foreign domain. It does not transfer broadcast information generated at the home site, as required by the claim to a second address so that the information can be broadcast to the terminal from the second address instead of the first address. The messages intercepted at the home agent of Magret are generated at correspondent nodes.

It should be noted that in point 20 the Office considers the home agent to be a second multicast site while in point 22, contradicts this interpretation by stating that the foreign domain is the second global broadcasting address.

Even if the home agent was considered to be the originating site, and the foreign agent to be the second site, there is no disclosure of the exchange of request and acceptance messages between the roaming terminal and the home agent as



required by the claim, and there is no disclosure of information being generated at the home agent site and being sent to a second site for broadcast to the terminal.

The Office does not assert and the Applicants have not found that Paila discloses such a feature and thus the combination of references therefore do not disclose such a feature.

On page 13 it is asserted that Magret, col. 12, ;lines 30-38 disclose "transmitting, by global multicast broadcast, the information to be broadcast under the second address, which enables said roaming terminal interconnected to the separate site to receive, on the separate site, the information being broadcast under the first local broadcasting address, broadcast under the second global broadcasting address," as in claim 15.

However, in Magret tunneling is used to transfer datagrams from correspondent nodes to mobile as mentioned by the Office in point 22. This goes against the teaching of the present invention which is trying to overcome the drawbacks of using tunneling techniques as set out in the present application.

By using IP tunnels the system of Magret suffers the drawbacks which the present invention seeks to overcome; i.e. the loss of benefits associated with multicast broadcast; and scaling problems associated with the number of tunnels and the duplication of IP packets which limits the number is potential users. The present invention seeks to allow broadcasts local to

any site to be broadcast to roaming users belonging to the site and visiting other sites while avoiding the creating of multiple unicast tunnels but still limiting broadcast to selected users belonging to the original site.

The Office does not assert and the Applicants have not found that Paila discloses such a feature and thus the combination of references therefore do not disclose such a feature.

For at least the reasons discussed above, Paila and Magret, taken separately or in combination, fail to render obvious the features of claims 15, 21 and 25 and the claims dependent therefrom.

Withdrawal of the rejections is respectfully requested.

#### SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 101, 102 and 103. It is also submitted that claims 15-32 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

Charge the fee of \$220 for the one independent claim added herewith, to our credit card.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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**APPENDIX:**

The Appendix includes the following item(s):

- ☒ - a new or amended Abstract of the Disclosure
- ☐ - a Replacement Sheet for Figure      of the drawings
- ☒ - a Substitute Specification and a marked-up copy of the originally-filed specification
- ☐ - a terminal disclaimer
- ☐ - a 37 CFR 1.132 Declaration
- ☐ - a verified English translation of foreign priority document